

REMARKS

Claims 1, 17, 19, 20, 21, 23, and 37 have been amended. New claims 45 through 48 have been added. Claims 1 through 48 remain in the application.

Claims 17, 19, 20, and 23 were objected to because of an informality in each of the claims.

Accordingly, claims 17, 19, 20, and 23 have been amended to correct the informality in each of the claims. It is respectfully submitted that claims 17, 19, 20, and 23, as amended, overcome the objection.

Claim 37 was rejected under 35 U.S.C. § 112, second paragraph, as indefinite because the phrase "such as" is unclear as to whether the limitations following the phrase are part of the claimed invention. Applicants respectfully traverse this rejection.

Claim 37 has been amended to change "such as" to "including". It is respectfully submitted that claim 37, as amended, overcomes the rejection under 35 U.S.C. § 112, second paragraph.

Claims 1 through 10, 13 through 18, 21 through 25, 30 through 34, and 38 through 41 were provisionally rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 1 through 7 and 10 through 32 of copending Application No. 09/184,186. Applicants respectfully traverse this rejection.

Claims 1 and 21 have been amended to clarify that the light energy delivered effects thermal release of the panel from the frame. This clarification is not claimed in copending Application No. 09/184,186. As such the claims of the present invention are not claiming the same invention as that of the copending application. Therefore, it is respectfully

submitted that claims 1 through 10, 13 through 18, 21 through 25, 30 through 34, and 38 through 41 are allowable over the provisional rejection under 35 U.S.C. § 101.

In addition, Applicants have added new claims 45 and 46 that more particularly claim the "flashlamp" of the present invention and new claims 47 and 48 that more particularly claim the "safety input apparatus" and "control apparatus" of the present invention. It is respectfully submitted that new claims 45 through 48 are allowable, which allowance is solicited.

Claims 1 through 44 were rejected under 35 U.S.C. § 102(a) as being anticipated by WO(I) (96/17737). Applicants respectfully traverse this rejection.

WO 96/17737 to Ledger et al. has a priority date of GB 9424659.2 filed on December 7, 1994 and has a PCT Application No. PCT/GB95/02847 with a filing date of December 6, 1995 in which the United States (US) was a designated state. This PCT application entered the national phase in the US as Serial No. 08/693,060, filed August 13, 1996. In the U.S., a continuation application was filed from this application as U.S. Serial No. 09/133,854, filed August 14, 1998.

The present application claims the benefit of 35 U.S.C. § 120 of prior U.S. patent application Serial No. 09/184,186, which has been amended to claim the benefit of 35 U.S.C. § 120 of prior U.S. patent application Serial No. 09/133,854 and 08/693,060. Applicants have amended the specification to contain a specific reference to Serial No. 09/184,186, Serial No. 09/133,854, and Serial No. 08/693,060. The present application and U.S. patent application Serial No. 09/184,186 are owned by the same assignee.

35 U.S.C. § 120 provides that an application for patent for an invention disclosed in the manner provided by the first paragraph of section 112 of this title in an

application previously filed in the United States, or as provided by section 363 of this title, which is filed by an inventor or inventors named in the previously filed application shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or on an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

As a result, the claims of the present application cannot be anticipated by WO 96/17737. WO 96/17737 has the same disclosure as copending application Serial No. 09/133,854, which Applicants claim the benefit under 35 U.S.C. § 120 from Serial No. 08/693,060, which is the national stage filing of WO 96/17737. Serial No. 09/184,186 claims the benefit under 35 U.S.C. § 120 of Serial No. 09/133,854. The present application has been amended to contain a specific reference to the earlier filed applications. As such WO 96/17737 cannot be an anticipatory reference. The rejection is therefore improper and should be withdrawn. Thus, it is respectfully submitted that claims 1 through 44 are allowable over the rejection under 35 U.S.C. § 102(a).



Based on the above, it is respectfully submitted that the claims are in a condition for allowance, which allowance is solicited.

Respectfully submitted,

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